

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2741

IN THE MATTER OF:

Served July 29, 1985

Application of JAMES M. SMITH, )  
INC., for Special Authorization to )  
Conduct Charter Operations Pursuant )  
to Contract with United States )  
Department of Interior--Geological )  
Survey )

Case No. CP-85-04

By application filed July 11, 1985, perfected July 16, 1985, James M. Smith, Inc. ("Smith" or "applicant"), seeks authority pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 to transport employees of the United States Department of Interior including Geological Survey, Mineral Management Service and other government employees as well as persons traveling on official business with Geological Survey in charter operations pursuant to contract with United States Department of Interior--Geological Survey between U.S. Geological Survey, 12201 Sunrise Valley Drive, Reston, Va., and Department of the Interior, C Street, N.W., Washington, D.C., and in round trip operations between 12201 Sunrise Valley Drive, Reston, Va., on the one hand, and, on the other, points in the Metropolitan District.

Order No. 2736, served July 17, 1985, generally described the evidence submitted with the application, and that order is incorporated by reference herein. The Commission required publication of notice and the filing of an affidavit of publication. Applicant complied with these requirements, and no protest to the application was received by the Commission within the time set therefor.

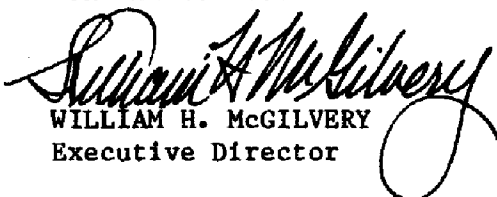
Commission Regulation No. 70 provides that an application of this type will be granted if it is determined that the applicant is fit, willing, and able properly to perform the proposed service and to conform to the provisions of the Compact and the rules, regulations, and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Regulation No. 70. The issue of whether the public convenience and necessity requires such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

Inasmuch as the contract is for a fixed term of at least 181 days and provides for the transportation of government employees pursuant to a contract with their employer, the Commission finds that this application conforms to the requirements of Commission Regulation No. 70. It is further found, based on the evidence of record as described in Order No. 2736, that applicant is fit, willing, and able properly to provide the service described above and to conform to the requirements of the Compact and the rules, regulations, and orders of the Commission thereunder.

Applicant has a current certificate of insurance on file with the Commission. Upon Smith's filing of two copies of an executed contract in the form of WMATC Tariff No. 5 and an affidavit of identification of vehicles pursuant to Regulation No. 70-10, an appropriate certificate shall issue.

IT IS SO ORDERED.

FOR THE COMMISSION:

  
WILLIAM H. MCGILVERY  
Executive Director